

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:

JACK FUENTES
RAMONA FUENTES

Debtors

**OBJECTION TO
CONFIRMATION**

Chapter 13
Case No. 10-24685-RDD

David A. Haefner, Esq., an attorney duly licensed to practice law in the State of New York and admitted in the Southern District of New York, affirms the following to be true, under penalty of perjury:

1. I am an associate with the firm of Steven J. Baum, P.C., attorneys for the Secured Creditor, Bank of America, N.A.
2. This Affirmation is submitted for the purpose of objecting to confirmation of the Chapter 13 Plan proposed by Jack and Ramona Fuentes (the "Debtors").
3. The Debtors' proposed Plan fails to provide for pre-petition arrears due to Bank of America, N.A. The Proof of Claim currently being prepared on behalf of Bank of America, N.A. estimates pre-petition arrears owing in the amount of \$15,209.15. As the Debtors' proposed plan fails to provide for payment of these arrears, confirmation must be denied pursuant to 11 U.S.C. Section 1322(a)(2).
4. In addition, the Debtors' proposed Plan provides for total plan payments in the amount of \$9,000.00, which falls short of full payment of Debtors' pre-petition arrears to Bank of America, N.A. Accordingly, Debtors' proposed plan is not feasible.

5. By virtue of the foregoing, confirmation of the Debtors' proposed Chapter 13 Plan must be denied pursuant to 11 U.S.C. §1325.

Dated: Buffalo, New York
April 4, 2011



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